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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To require law enforcement agencies to report the use of lethal force, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. TIMMONS introduced the following bill; which was referred to the
Committee on _____

A BILL

To require law enforcement agencies to report the use of
lethal force, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Walter Scott Notifica-
5 tion Act of 2020”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) the term “law enforcement officer” has the
2 meaning given the term in section 3673 of title 18,
3 United States Code; and

4 (2) the term “State” has the meaning given the
5 term in section 901(a) of title I of the Omnibus
6 Crime Control and Safe Streets Act of 1968 (34
7 U.S.C. 10251(a)).

8 **SEC. 3. STATE INFORMATION REGARDING USE OF LETHAL**
9 **FORCE BY LAW ENFORCEMENT OFFICERS.**

10 (a) IN GENERAL.—For each fiscal year in which a
11 State receives funds for a program described in subsection
12 (c), the State shall report to the Attorney General, on an
13 annual basis and pursuant to guidelines established by the
14 Attorney General, information regarding any discharge of
15 a firearm by a law enforcement officer which results in
16 the death of a civilian.

17 (b) INFORMATION REQUIRED.—The report required
18 under subsection (a) shall contain information that, at a
19 minimum, includes—

20 (1) the number of decedents and the number of
21 law enforcement officers who discharged a firearm;

22 (2) the age, sex, race, and ethnicity of each de-
23 cedent;

24 (3) any mental health issue of a decedent that
25 was observed or reported;

1 (4) the age, sex, race, and ethnicity of each law
2 enforcement officer;

3 (5) a brief description of the event;

4 (6) the alleged criminal activity of each dece-
5 dent prior to the use of force;

6 (7) whether each decedent was armed and the
7 type of weapon the decedent had;

8 (8) a description of the weapon used by each
9 law enforcement officer;

10 (9) a brief description of any injury sustained
11 by a law enforcement officer;

12 (10) a brief description of the finding of the law
13 enforcement agency as to whether the use of deadly
14 force was justified or unjustified; and

15 (11) the case disposition, including whether—

16 (A) the case was cleared by departmental
17 review or referred to a prosecuting authority;

18 (B) criminal charges were filed;

19 (C) prosecution was declined;

20 (D) a grand jury returned a No True Bill;

21 or

22 (E) a court entered an acquittal or a con-
23 viction.

24 (c) COMPLIANCE.—

1 (1) INELIGIBILITY FOR FUNDS.—For any fiscal
2 year beginning after the date of enactment of this
3 Act, a State that fails to comply with subsection (a),
4 shall be subject to a 10-percent reduction of the
5 funds that would otherwise be allocated for that fis-
6 cal year to the State under subpart 1 of part E of
7 title I of the Omnibus Crime Control and Safe
8 Streets Act of 1968 (34 U.S.C. 10151 et seq.),
9 whether characterized as the Edward Byrne Memo-
10 rial State and Local Law Enforcement Assistance
11 Programs, the Local Government Law Enforcement
12 Block Grants Program, the Edward Byrne Memorial
13 Justice Assistance Grant Program, or otherwise.

14 (2) REALLOCATION.—Amounts not allocated
15 under a program referred to in paragraph (1) to a
16 State for failure to comply with subsection (a) shall
17 be reallocated under the program to States that have
18 complied with subsection (a).

19 (d) PREFERENTIAL CONSIDERATION.—Section 1701
20 of title I of the Omnibus Crime Control and Safe Streets
21 Act of 1968 (34 U.S.C. 10381) is amended by adding at
22 the end the following:

23 “(n) USE OF FORCE REPORTING.—

24 “(1) PREFERENTIAL CONSIDERATION.—For the
25 first fiscal year beginning after the date of enact-

1 ment of this subsection and the 3 fiscal years there-
2 after, the Attorney General may give preferential
3 consideration, where feasible, to an application from
4 an applicant in a State that is in full compliance
5 with section 3(a) of the Walter Scott Notification
6 Act of 2020.

7 “(2) REDUCTION OF GRANT AMOUNTS.—Begin-
8 ning in the fifth fiscal year beginning after the date
9 of enactment of this subsection, a State that fails to
10 comply with section 3(a) of the Walter Scott Notifi-
11 cation Act of 2020 shall be subject to a 20-percent
12 reduction of the funds that would otherwise be allo-
13 cated for the fiscal year to the State under this part.

14 “(3) REALLOCATION.—Amounts not allocated
15 under this part to a State for failure to comply with
16 section 3(a) of the Walter Scott Notification Act of
17 2020 shall be reallocated to States that have com-
18 plied with such section.”.

19 (e) INDEPENDENT AUDIT AND REVIEW.—Not later
20 than 1 year after the date of enactment of this Act, and
21 each year thereafter, the Attorney General shall conduct
22 an audit and review of the information provided under
23 subsection (a) to determine whether each State receiving
24 funds under section 505(a) of title I of the Omnibus Crime
25 Control and Safe Streets Act of 1968 (34 U.S.C.

1 10156(a)) or under part Q of title I of the Omnibus Crime
2 Control and Safe Streets Act of 1968 (34 U.S.C. 10381
3 et seq.) unless the State has ensured, to the satisfaction
4 of the Attorney General, that the State is in substantial
5 compliance with the requirements of this section.

6 (f) PUBLIC AVAILABILITY OF DATA.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, and each year
9 thereafter, the Attorney General shall publish, and
10 make available to the public, a report containing the
11 data reported to the Attorney General under sub-
12 section (a).

13 (2) PRIVACY PROTECTIONS.—Nothing in this
14 subsection shall be construed to supersede the re-
15 quirements or limitations under section 552a of title
16 5, United States Code (commonly known as the
17 “Privacy Act of 1974”).

18 (g) GUIDANCE.—Not later than 180 days after the
19 date of enactment of this Act, the Attorney General, in
20 coordination with the Director of the Federal Bureau of
21 Investigation, shall issue guidance on best practices relat-
22 ing to establishing standard data collection systems that
23 capture the information required to be reported under sub-
24 section (a), which shall include standard and consistent
25 definitions for terms.